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STANDING COMMITTEES:

Natural Resources, Energy and
Water, chairman; Parks, Fish
and Wildlife; Land Use and
Planning

SPECIAL COMMITTEES:

Joint Task Force on Rural Land
Use and Economic Development;
Western Legislative Forestry Task
Force, past chairman; Select
Committee on Forest Resources

Senator Bob MORTON

*"Serving the 7th Legislative District is an honor and a privilege.
To best serve you, I must hear your thoughts,
so please do not hesitate to contact me."*

Dear Neighbors:

I am quite pleased with what the Legislature was able to accomplish this year given our many obstacles. We faced a \$2.6 billion deficit, a worsening transportation system, the possibility of Boeing leaving the state, the increasing costs of prescription drugs, the further degradation of our forest lands, unfunded mandates facing our small forest landowners, continued debate over water use, and potential problems with encroaching predatory wildlife from Canada.

For the most part, these issues were addressed for the better. The Legislature approved a state budget that fills the deficit without raising general taxes, while protecting our state's most vulnerable citizens, improving funding for education, and creating 14,000 new private-sector jobs. We also approved a transportation plan that addresses our state's most nagging safety problems, reforms to our state's ailing unemployment insurance and workers' compensation systems, a prescription drug plan that will help low-income seniors and disabled residents afford the drugs they need, improvements to forest health in Washington, legislation to ease RMAP mandates facing our small forest landowners, and groundbreaking water legislation that will further serve to protect water rights. Although the Legislature did not approve my legislation to protect Washington residents from Canada's reintroduction of grizzly bears, I will continue efforts to get Canada to understand our concerns.

While I am disappointed at some of the things that occurred this session, overall, I am amazed at what the Legislature was able to accomplish. While winning victories is always good, it is the disappointment that keeps me fighting so hard to represent you in Olympia.

It is an honor and a privilege to serve you. If you have any questions, comments, or concerns, please do not hesitate to contact my Olympia office.

Cordially yours,

A handwritten signature in blue ink that reads "Bob Morton".

Sen. Bob Morton

PRESCRIPTION DRUGS

National expenditures for prescription drugs is one of the fastest-growing components of health care spending, increasing on average 18 percent per year. As the greatest consumers of prescription drugs, seniors are finding it more and more difficult to afford the medicines they need to keep them healthy.

This session the Legislature went to great lengths to ensure session did not end without passing a prescription drug bill. The bill does a variety of things:

- **Medicaid prescription drug benefit program:** Directs the creation and federal approval of a Medicaid prescription drug program for persons 65 and older or

disabled with an annual income below \$17,960 for an individual and \$24,240 for a couple.

- **Prescription drug discount program:** The state will negotiate price discounts for Washington residents 50 and older or disabled with an annual income below \$26,940 for an individual and \$36,360 for a couple and lacking prescription drug coverage.

There are elements of this bill of which I am not particularly fond. However, it will assist those who really need it until we can address the core of the problem, prescription drug pricing.



BUDGET

Coming into the 2003 session, Senate Republicans had one goal for the budget: no new general tax increases. The budget we approved met this goal and kept our promise to Washington’s taxpayers that the state could and should live within its means.

Despite facing a \$2.6 billion revenue shortfall, the adopted budget protects our most vulnerable citizens, keeps \$300 million in reserve, provides beginning teachers and home health care workers with a wage increase, increases funding to reduce K-12 class size, and keeps our state parks open.

CAPITAL BUDGET “The Jobs Bill”

The 2003-2005 capital budget meets state construction, repair, and maintenance needs through bonds and puts thousands of people back to work. It also creates 14,000 new jobs at a time when Washington’s unemployment rate is above the national average.

In our area, the capital budget includes funding for the Chewelah Peak Learning Center.

FUNDING HIGHLIGHTS:

- Beginning teacher salary increases. No full-time teacher in Washington will make less than \$30,000;
- New funding for class sizes from \$212 to \$254 per student;
- 400 new enrollments in four-year colleges for community college transfer students;
- \$5 million to help maintain services in the state’s 16 small counties;
- Adequate funding to keep our state parks open;
- \$250,000 to operate and update the registered sex offender Web site;
- \$100,000 to test electronic monitoring of released level III sex offenders;
- A 75-cent-an-hour pay increase for all home health care workers;
- Restoration of the proposed reductions in Medicaid for kids;

The final 2003-2005 operating budget is the slowest-growing budget on record—a minimal 2 percent growth. It is sustainable without forcing large spending increases in future budgets. Still, funding is preserved for the state’s most vulnerable—the developmentally disabled, mentally ill, elderly in nursing homes, and at-risk children.

TRANSPORTATION “The Nickel Fund”

After initial conflict over spending on roads vs. transit, transportation leaders came to a historic agreement on a 10-year, \$4.1 billion spending plan, centered around a one-time 5-cent-a-gallon gas tax increase. This 5-cent gas tax goes into a specially created account, the “Nickel Fund,” that has three main advantages:

- The money people pay into the “Nickel Fund” stays in that fund solely for transportation.
- The money paid into the “Nickel Fund” can only be spent on the agreed-upon list of projects approved in House Bill 1163.
- Once the bonds on the projects are paid off, the “Nickel Fund” and the 5-cent gas tax increase go away.

New transportation projects in our area include:

- **North Spokane Corridor (NSC)—Francis Avenue to Farwell Road** This project will improve mobility and increase capacity by constructing a segment of the NSC for a four-lane divided highway from the Francis/Freya Interchange to the Park-Smith Road Interchange. It also includes paving the northbound on-ramp from Freya Street, the southbound off-ramp

to Freya Street, and the improvement of Freya Street from Francis Avenue to Lincoln Road. Overcrossings will be constructed at Freya, Lincoln and Gerlach Roads. A pedestrian/bike path will be constructed through this segment, as well as a park-and-ride facility at Freya/Wilding Street.

- **NSC—U.S. 395—To Wandermere and U.S. 2** This 1.71-mile project on U.S. 395 in Spokane improves mobility and increases capacity by constructing a segment of the NSC for four lanes of divided highway northbound and southbound from U.S. 2 to the Wandermere vicinity. It includes realignment of Shady Slope Road and overcrossings over the NSC and U.S. 2. Other facilities include a pedestrian/bike path, and a park-and-ride lot south of Farwell Road and east of Cherry Road.
- **State Route 31/Metaline Falls to the international border** This reconstructs State Route 31 for all-weather operation of legal loads from Metaline Falls to the Canadian border, and will allow for removal of seasonal weight restrictions.

IMPROVING WASHINGTON’S BUSINESS CLIMATE

In an effort to save up to 130,000 jobs and \$475 million in state general tax revenue that could be at risk if Boeing leaves Washington altogether, the Legislature improved our state’s ailing unemployment and workers’ compensation programs, among other things. These changes not only serve to help Boeing, but make the system more equitable for all Washington’s businesses.

- **Unemployment insurance reform (ESSB 5378).**

Currently, Boeing, for example, pays a payroll tax far greater here in Washington than in other states where Boeing is located. The following is a comparison of how much Boeing pays in payroll taxes per worker

in Washington versus in other states:

- \$772 in Washington;
 - \$378 in California;
 - \$482 in Oregon; and
 - \$105 in Kansas, the leading contender for Boeing’s new plane.
- **Workers’ compensation reform (SB 5271).** This bill will save \$228 million in the employer-funded accident account by requiring workers to file hearing loss claims for “permanent partial disability” due to workplace exposure within two years of the date of the worker’s last exposure.

RMAP

Implementation of the Road Maintenance and Abandonment Plan (RMAP) policies stemming from the 1999 Forest and Fish Act were designed to protect Washington landowners against federal implementation of the Endangered Species Act (ESA). Unfortunately, these sometimes ambiguous and heavy-handed policies gave private landowners a very large unfunded mandate. For two years, I have worked with stakeholders to change that and make protection of fish less of a financial burden on our private forest landowners. After more than a year of working to improve RMAP rules, the Legislature has approved a bill that is the product of a truly collaborative effort.

Second Substitute House Bill 1095 limits impacts to small forest landowners caused by RMAP policies and the Forest and Fish Act.

The RMAP bill takes a variety of steps to accomplish that:

- Excludes residential access roads from the definition of a forest road;
- Clearly defines small forest landowners as harvesting no more than an average timber volume of 2 million board feet in Washington per year;
- Instead of requiring the submission of an expansive and expensive RMAP, small forest landowners would be allowed to complete a simplified checklist;
- Limits the financial burden of small forest landowners to the lesser of 25 percent or \$5,000 annually in the removal or replacement of a particular fish passage barrier;



Hundreds of small forest landowners and local government officials attended the public meeting Sen. Morton conducted this session on RMAP legislation.

- Employs a sliding scale that determines the maximum financial burden in the improvement of fish passages — the more small forest landowners harvest, the more their financial burden may be. The bill applies in-kind goods and services, such as labor and use of private equipment and materials, to the satisfaction of maximum costs placed upon the small forest landowner to improve fish passages. It also creates a prioritized list of barriers causing the greatest harm to public resources, which may be eligible for full state funding. The best-case scenario would have been to require the state to pay 100 percent of all the costs of fish protection and restoration, but that just isn't practical at this time. Although I am not entirely satisfied with the extent to which this bill protects small forest landowners, I am pleased that the bill has moved our laws in the appropriate direction.

HEALTHY FORESTS

Washington's forests are deteriorating at a rather rapid rate. The proof is in more frequent and greater-scale wildfires, fed by pests, disease, and overgrowth of our forest lands. These wildfires cost millions of dollars, destroy homes and local economies, and put firefighters in mortal danger. The devastation caused by the wildfires also accounts for loss of harvestable timber on our state's trust lands (used to benefit public education), wildlife habitat and recreational opportunities in our state, putting our Northwest quality of life at stake.

Pests and diseases don't discriminate between federal, state and private land. A collaborative effort toward healthy forests is needed by the U.S. Forest Service (USFS), Department of Natural Resources (DNR) and private forest landowners.

This session, I introduced two bills to help improve the health of Washington's forests. Both bills were approved overwhelmingly by the Legislature:

- **Substitute Senate Bill 5144** clarifies responsibilities among government agencies and streamlines the pest and disease control process in our forests. The bill also eliminates onerous permits required for pest control duties.
- **Substitute Senate Joint Memorial 8002** encourages the federal government to enhance its forest management activities to reduce the risk of the further spreading of insects and diseases to state forest lands and adjacent private lands. For this purpose, the legislation asks the federal government to be a better steward of its land in our state. The bill also asks Congress for the authority to use revenue generated from harvest activities to fund ecosystem restoration and reforestation and for adequate funding for the U.S. Forest Service's efforts to improve the health of Washington's federally owned forests.

GRIZZLY BEARS

Citizen groups in British Columbia have proposed plans to relocate a number of grizzly bears from other parts of Canada to a region of Canada north of the Okanogan and Wenatchee national forests as part of a grizzly bear recovery plan. Washington state law prohibits introduction of grizzly bears and requires protection of the native grizzly bear population in suitable areas.

To rural landowners, recovery of grizzly bears means invasion of orchards and livestock and, more importantly, personal safety concerns. Washington state has already done its part to augment native grizzly bear populations in the remote and minimally populated Selkirk/Priest Salmo areas of Northeast Washington. We went to great lengths to ensure that our grizzly bear restoration efforts did not spill over into the Paysayten and Loomis areas,

which are adjacent to the most populated areas of King, Skagit and Whatcom counties.

To protect Northeast Washington residents, livestock and orchards from British Columbia's reintroduction of grizzly bears just north of the Washington-Canadian border, I introduced **Senate Joint Memorial 8004**. The proposal asks the province to refrain from releasing grizzly bears where their range is likely to extend into Washington state. Residents of Northeast Washington are deeply concerned that grizzlies could stray into inhabited areas looking for sustenance.

I am committed to working with the federal government and premier of British Columbia to improve upon this situation and ensure the protection of Northeast Washington residents from the impacts that reintroduction of grizzly bears will have on our area.

WATER

The Legislature was finally able to come to agreement during the last hours of session to approve three very important water bills that will serve to improve municipal water law, create a framework for implementation of watershed plans, and better balance interaction between clean water and water quantity laws.

ESSB 5028 separates water quality and water quantity issues by clarifying Washington’s authority to regulate water pollution.

The issue over the definition of pollution underscores the need to separate water quantity from water quality. The bill prohibits the Department of Ecology (DOE) from taking water quality enforcement action against water right holders if their right is used in accordance with the law. A water right should be independent of water quality concerns.

2E2SHB 1336 creates a framework for watershed planning and implementation.

The bill requires state agencies to work cooperatively with local citizens and governments to create locally developed watershed plans, and those planning units are given authority to implement the plan. Planning units with a 10 percent match may apply for grants of as much as \$100,000 per Water Resource Inventory Area within the first three years of the plan’s implementation. Additional grants will be available for the following years.

2E2SHB 1338 allows municipal water rights to have more flexibility.

The bill enhances municipal conservation in return for flexibility, putting more water back in streams or leaving it in the ground.



LAKE ROOSEVELT CONTINUES TO IMPROVE

Recent efforts to subject Lake Roosevelt to the federal Superfund cleanup process undermines the ability of local communities to band together to overcome challenges and, in my opinion, would be a very premature decision.

The most recent study regarding the health of the lake was published by Washington State University (WSU) in 1996. Many things may have changed in seven years, and jumping into a lengthy and costly process, like the Superfund cleanup process, may not be warranted.

Instead of jumping to subject an already-economically depressed area of our state to the stigma that follows the Superfund cleanup process, impacting tourism, recreational opportunities and overall economic development, we should see what our local communities can accomplish first. In so doing, local communities could initially use the WSU study as a benchmark from which to measure environmental improvements made to the lake in a truly scientific manner. Waters of the reservoir, the safety of the waters for swimming, eating the

fish, and various other safety and environmental concerns related to the waters of the lake would continue to be monitored and analyzed in this effort.

Using the WSU study as a benchmark from which the local communities continue work to improve the area should be our first option, not our last resort.

Rest assured that I will continue to pursue local solutions to our local challenges while the Legislature is not in session.



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